



Contractors' Review

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South Carolina Contractors' Licensing Board

No. 36

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South Carolina Department of
Labor, Licensing and Regulation

Understanding Fire Protection Sprinkler Laws

The Contractors' Licensing Board has been receiving a lot of questions about fire protection sprinkler laws. To assist all contractors, the Board is including many of those questions and answers below:

What is a Fire Protection Sprinkler Contractor?

A fire protection sprinkler contractor is a licensed entity that is engaged in the planning, sale, installation, repair, alteration, addition, maintenance or inspection of fire protection sprinkler systems or water spray systems. However, local building officials, fire inspectors, and insurance inspectors, when acting in their official capacity, are not required to have a fire protection sprinkler contractor license.

Where Can I Find the Laws Governing Fire Protection Sprinkler Businesses?

The statutes regulating the fire protection sprinkler businesses Practice Act are found in Chapter 45 of the 1976 South Carolina Code of Laws, as amended, § 23-45-10 through 23-45-160. Regulations are found in Article 6, Regulations 29-70 through 29-110.

Who Needs a License?

Anyone engaging in the fire protection sprinkler business within this state must be properly licensed, regardless of the cost of the services. If an entity is negotiating, bidding or signing a contract for either fire sprinkler or fire alarm work, the entity must have a license for that type of work. If a bid or contract for fire sprinkler work contains fire alarm work, the fire sprinkler contractor cannot bid the fire alarm work unless he/she holds a fire alarm license. A

licensed fire alarm contractor cannot bid on a project that contains both fire sprinkler and fire alarm work unless he/she holds a fire sprinkler license.

The provisions of Section 23-45-135 states that a fire sprinkler license is not required for:

(1) licensed mechanical contractors performing emergency work on existing fire sprinkler systems, water spray systems, or water foam systems where the cost of the labor does not exceed one thousand dollars;

(2) a person engaged in the repair, alteration, maintenance, or inspection of these type systems on their own property or property of their normal employer; and

(3) plumbing contractors holding a mechanical contractor license group number two, three, four or five are not required to have a fire sprinkler license to install standpipe systems, included hose connections, hose cabinets, and related branch lines provided they do not supply automatic fire protection sprinklers.

If an entity is negotiating for fire sprinkler or fire alarm work, the entity submitting the bid must have a state-issued contractor license, regardless of the cost of the work.

How Can I Get a License?

A fire sprinkler applicant must complete an application as prescribed by the Contractors' Licensing Board and have an employee who is called the certificate holder and who has passed the NICET Level III Fire Sprinkler Technicians Written Competency Examination for

Sprinkler Laws

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The "Contractors' Review" is a publication of the S.C. Contractors' Licensing Board and the South Carolina Department of Labor, Licensing and Regulation. It is distributed three times annually to licensees, building officials, architects, awarding authorities and various federal, state and local government officials. Suggestions for articles in this newsletter are welcome. Send written notification to Board Administrator Ron Galloway, or call him at (803) 896-4686.

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TELEPHONE NUMBERS

General Information: (803) 896-4686
Licensing:

General Contractor

Tracy Gunter(803) 896-4608

Mechanical Contractor

Rhonda Jackson(803) 896-4627

Alarm and Fire Sprinkler:

Patti Muckelvaney(803) 896-4624

Inspections:

Chas Nicholson (803) 896-4611

Mike Anderson.....(803)896-4638

Stan Bowen(803) 896-4856

Andy Dempsey(803) 896-4820

Complaint and Violation Compliance:

Harvey Shiver(803) 896-4796

Licensing Fax:.....(803) 896-4701

Compliance Fax:(803) 896-4364

Fax:.....(803) 896-4364

Work Not Requiring a Contractor License

There are several classifications of work that are exempt from the general law requiring a general or mechanical contractor license. Among these are fencing, landscaping, clearing, grubbing, debris removal, hauling, irrigation, exterior recreational surfaces, golf course construction, signs or billboards, carpet, non-permanent scaffolding, demolition, fiberglass work, kitchen equipment and installation of commercial exhaust hoods. Fire suppression work for commercial exhaust hoods do not require a general or mechanical contractor license but should be inspected by the appropriate local authority having jurisdiction.

The installation of most equipment and machinery, regardless of the cost, no longer requires a general or mechanical contractors' license. However, licensed contractors must be utilized for any electrical, steam, gas, oil or water connections (essential to the operation of the equipment or machinery), which exceed \$5,000.

Currently, a license is not required for commercial work dealing with stucco, aluminum or vinyl siding. If regulated

repair work is performed on a structure in addition to the siding work and the cost of the regulated work exceeds \$5,000, the regulated work must be performed by an entity that has a general contractor license with a building classification.

Air pollution, air handling, humidification, office, school, hospital, material handling, food service, laboratory, wood processing, refinery, prison and jail equipment, elevators (regulated by the S.C. Department of Labor, Licensing and Regulation), generators, fire suppression systems (including chemicals), conveyors, turbines, underground fuel tanks and pumps, heat exchangers, pressure vessels, lockers or incinerators no longer require a general contractor license.

Effective April 1, 1999, the general contractor 'Heavy' and 'Communications & Instrumentation' classifications and all electrical work that is less than 50 volts, no longer requires a contractor license.

Pile-driving is no longer regulated, unless pile-driving work is performed within the general contractor 'Marine' classification.

Planning a Move or Changing License Application Information?

All licensees **must** keep the Board informed of any changes in the licensed entity's new physical or business address, telephone number or fax number and any change in the style of engaging in business, such as changing from a proprietorship to a corporation.

The Board also requires the licensee to notify this office of any changes to its initial or renewal license application information such as any qualifying party leaving the employment of the licensee or changes in corporate officers. Any changes to the entity's initial or renewal application may delay the license renewal or revision process.

If the Board has incorrect information, a licensee may not receive the information he/she has a "need to know," such as changes in the contracting statutes which

would be printed in this newsletter. If a licensee is sent a letter to the last known address for action against his/her license, and the licensee does not receive the letter because he/she failed to notify the board of the address change, any action on the status of the license is binding and legal, even if they were not at the hearing for any possible sanction(s). Changes can be sent by mail or fax to the South Carolina Contractors' Licensing Board, P.O. Box 11329, Columbia, S.C. 29211, Fax: 803-896-4701. Include your license number and current telephone number.

Please remember, all licensees licensed by this board must contract and engage in contracting work in the name that appears on your license card. Any deviation is not acceptable and may result in a fine and possible termination of the bid or contract.

Administrator's Corner

All general and mechanical contractor licenses expire October 31, 2003. If you have not renewed your license, you will have a late renewal penalty of \$100 added to your license fees of \$525 for general contractors and \$350 for mechanical contractors, up to 30 days after the renewal date. If you are late 31 to 60 days, the penalty goes to \$150. If you are late 61 to 90 days, the penalty is \$200. If you do not renew 91 days after October 31, 2003, you will have to submit an application and a new financial statement.

S.C. Contractors' Licensing Board Meeting dates for 2004

DATE	TIME	LOCATION (102 Centerview Drive, Columbia, SC)	ROOM #
January 22	10 a.m.	Kingstree Building, Synergy Office Park Columbia, SC	111
April 15	10 a.m.	Kingstree Building, Synergy Office Park Columbia, SC	111
July 15	10 a.m.	Kingstree Building, Synergy Office Park Columbia, SC	111
October 21	10 a.m.	Kingstree Building, Synergy Office Park Columbia, SC	111



Licensees, License Forms and License Information on the Internet

The best way to verify licensure is by way of the board's Web site, www.llr.state.sc.us. Go to licensee look-up at the top of screen and put in the company name, last name if listed as an individual, or license number.

You also can find all forms for licensure, license information and general board information on the site.



Visit us on the Web!
www.llr.state.sc.us

Sprinkler Laws *Continued from page 1*

design of a fire sprinkler system. The applicant must also have liability insurance as required in §23-45-70. The applicant must provide proof that the entity seeking licensure has not less than \$100,000 comprehensive insurance coverage, and that the policy covers property loss or personal injury.

Can I Subcontract Work?

A licensed fire sprinkler contractor may subcontract any portion of a fire sprinkler project to another licensed fire sprinkler contractor. The licensed sprinkler contractor may not subcontract any fire sprinkler work to an unlicensed person or entity.

Currently, a fine may be levied in the amount of \$250 per day for each violation of the fire sprinkler statutes or regulations. This fine may be levied against any individual in violation of the fire sprinkler systems Practice Act.

What is a Sprinkler System Specification Sheet?

A fire sprinkler system specification sheet for every fire protection sprinkler system must be submitted on a form provided by the State Fire Marshal's Office. The requirements for this form can be found in §23-45-145. The fire sprinkler specification sheet may be submitted by either a registered engineer or a licensed

fire sprinkler contractor when permitted by law.

The specification sheet must contain the following minimum information:

- the available static and residual water pressure;
- the available water flow in gallons per minute and duration;
- the source of water supply;
- the classifications of hazards;
- the occupancy use of the building (or the area to be sprinkled);
- the type of system to be installed;
- the applicable National Fire Protection Association standards to be followed
- for each component of the system;
- other state and local statutes, regulations, codes or ordinances that must be followed; and
- the name, address, title, and phone number of the person developing the fire sprinkler system specification sheet.

If a fire sprinkler system is part of new construction, the fire sprinkler specification sheet must be prepared as part of the bid specifications and must be submitted for review to the authority having jurisdiction along with the shop drawings when applying for required permits. When permits are required by the authority having jurisdiction, the fire sprinkler specification sheet must accompany the permit application along with the shop drawings.

What are the Requirements for Shop Drawings?

Shop drawings must be prepared for every fire protection sprinkler system. The requirements for these drawings are found in §23-45-147. A licensed fire sprinkler contractor or registered engineer may prepare shop drawings. A licensed fire sprinkler contractor may hire an outside firm (registered engineer or another fire sprinkler contractor) to prepare shop drawings for a project. The specification sheet and shop drawings must be returned to the licensed fire sprinkler contractor that has the contract to install the fire sprinkler system. This contractor must submit the specification sheet and shop drawings to the jurisdiction having authority. The fire sprinkler contractor, that has the contract for the installation of the fire sprinkler system, will be responsible for the drawings submitted by an outside firm.

The State Fire Marshal's Office will verify all fire sprinkler shop drawings for compliance with the requirements found in §23-45-147(A)(2). The fire sprinkler statutes require that fire sprinkler shop drawings bear the stamp, authorized signature, and license number of the fire sprinkler contractor licensed in South Carolina who prepared them. The law does not specify a shape for the stamp nor does it prohibit electronic reproduction of the seal. The State Fire Marshal's Office

Employers Beware!

State-required posters that involve workplace laws are available **free** of charge. You do not have to pay for them.

The posters – now available in an all-in-one poster format – can be obtained from the S.C. Department of Labor Licensing and Regulation, S.C. Employment Security Commission, or the S.C. Human Affairs Commission.

The all-in-one-poster includes:

- Safety and Health Protection on the Job (the OSHA poster)
- Employment Discrimination
- Workers Compensation
- Unemployment Insurance
- Payment of Wages, Child Labor and Right-to-Work Laws

If you want to place an order or have questions, contact one of the following:

- LLR, email at fosterb@llr.sc.gov
- Employment Security, (803) 737-2474
- Human Affairs, (803) 737-7800 or 1-800-521-0725
- Workers Compensation, (803) 737-5700

Fax-on-Demand for Forms

You can obtain forms and other information about the S.C. Contractors' Licensing Board through the Fax-on-Demand system. You will not have to wait for information to come in the mail. Applications are available at the touch of a button and can be sent by fax directly to you. The system is voice activated. Call 24 hours a day toll free, 1-888-269-7646, and select option number 4 for the Contractors' Licensing Board. Follow the instructions, and state what documents you need.

Sprinkler Laws *Continued from page 1*

requires an original signature on all sprinkler shop drawings. The State Fire Marshal's Office will not review shop drawings missing the required stamp, license number or authorized signature of the licensed fire sprinkler contractor and will refer violations concerning missing information to the Contractors' Licensing Board for disciplinary action.

Shop drawings must contain sufficient information to show compliance with the National Fire Protection Association standards called for in the fire sprinkler system specification sheet and required information to meet the regulations established by the State Fire Marshal. Shop drawings may be submitted to a registered engineer to determine compliance with the fire sprinkler system specification sheet. After approval of the shop drawings by a registered engineer, the engineer should submit the drawings back to the licensed fire sprinkler contractor. The licensed fire sprinkler contractor shall submit the drawings to the local authority having jurisdiction (AHJ), the State Fire Marshal's Office, or to the engineering review department of the owner's insurance underwriter or its designee to determine compliance with the fire sprinkler specification sheet. An engineer's stamp or seal is not required on shop drawings, however, the fire sprinkler contractor must provide an original signature on shop drawings. The State Fire Marshal's Office may accept

the review of shop drawings from an insurance underwriter or their designee if the shop drawings meet the standards established by the regulations of the State Fire Marshal's Office.

General contractors holding a water and sewer line subclassification in license groups three, four, and five may install fire protection sprinkler system underground mains to a flanged outlet 1'0" above the finished floor in compliance with National Fire Protection Association Standard 24. However, shop drawings must be submitted by the general contractor and approved by the State Fire Marshal with a copy of the approved drawings going to the licensed fire sprinkler contractor. Flushing and testing certificates must be delivered to the authority having jurisdiction and the licensed fire sprinkler contractor installing the system. General contractors in this license subclassification (water and sewer lines) may not engage in water and sewer line work from the right-of-way to a residential structure unless the entity is a subcontractor to a licensee holding a plumbing subclassification.

Plumbing contractors may install water mains or water lines containing firewater going to a building as long as the line is a common water line containing potable water and fire sprinkler water. The instant fire water goes to a water line that is solely dedicated to fire water, a licensed mechanical plumber cannot touch the water line past

the point where the water line is dedicated solely to fire water.

Who Can Install Backflow Prevention Devices?

There are three groups under the jurisdiction of the Contractors' Licensing Board that may install and repair backflow prevention devices depending on where the device is located. A licensed plumber may perform this work only on water lines that are within the scope of their license. Refer to §40-11-410-(5)(f). This does not include water lines that are solely dedicated to fire water. A licensed water and sewer line contractor may perform this work on water lines that are within the scope of their license. This includes work on water lines that are solely dedicated to fire water. Refer to §40-11-410-(3)(b). A licensed fire sprinkler contractor may also perform this work if the device is part of a fire sprinkler system as defined in §23-45-30. Testing must comply with NFPA 25.

Anyone wishing to perform a test on a backflow prevention device must be certified by the Department of Health and Environmental Control (DHEC) under a requirement of the Division of Drinking Water Quality and Enforcement.

The International Fire Code (IFC) requires notice to the local fire department when a fire sprinkler system is taken out of service and service is restored to the system.

Have You Moved?



It is the responsibility of the licensees to keep the board office aware of current address and telephone information. When these changes occur, please notify this office immediately.

Please submit the following information:

Date: _____

Name of Licensee: _____

Old Address: _____

New Address: _____

Old Phone Number: _____

New Phone Number: _____

Signature: _____

Recent Disciplinary Actions

Cease and Desist Orders

The following individuals or entities agreed to a consent order for violation of the contracting statutes:

- Coastal Construction and Maintenance and Chip Rutland, St. Helena, SC. Respondents contracted to build two docks in Beaufort County that required a general contractor license with a marine classification. Respondent did not have a license to perform this work.
- Southern Quest construction, Inc., and Billy Snell Jr., Dothan, Alabama. Respondents hired an unlicensed contractor to perform regulated contracting work that required a contractor license.
- Quality Homes and Development LLC., and Jeffery Harvey, Saluda, NC. Respondent engaged in general contracting in a name other than the name that appeared on the license.
- Kenneth Simms, Mt. Pleasant, SC. Respondent engaged in work that required a general contractor license with a marine classification and did not have a license to perform the work.
- Edisto Construction, LLC, and Terry Todd, Cottageville, SC. Respondents engaged in work that required a general contractor license and did not have a license to perform the work.
- Paul Winfield's Electrical and Paul Winfield, Union, SC. Respondents engaged in work that required a mechanical contractor license and did not have an electrical contractor license to perform the work.
- T B Associates and Tradd Bruce, Union. Respondents engaged in plumbing work that exceeded their mechanical contractor group # 4 license dollar value limitation.
- Advanced Construction Systems Inc., Bryant, Arkansas. Respondent hired a licensed plumbing contractor to install a water line, fire hydrant and backflow preventor that was solely dedicated to a fire sprinkler system. The mechanical plumbing license did not cover this type of work.
- Advanced Plumbing Heating and Air Inc., Charleston, SC. Respondent performed work on a water line, fire hydrant, and backflow preventor that is solely dedicated to a fire sprinkler system and did not have a fire sprinkler license to perform type of work.
- Atlanta Design Consortium, Atlanta, GA. Respondent prepared hydraulic calculations for a fire sprinkler system, which required a fire sprinkler license and did not have a license to engage in this work.
- Williard Hill Enterprises, Inc., and Williard Hill, Goose Creek, SC. Respondents aided and abetted an unlicensed contractor by performing work for an entity that did not have a proper license to contract for the work performed.
- Shaw Electric and Repair, Gilbert, SC. Respondent engaged in a mechanical electrical project and did not have a proper license to perform the work.
- Orthodontic Centers of America, Inc., and John Bedener, Metairie, LA. Respondents awarded a contract to an unlicensed contractor to perform contracting work that required a contractor license.
- Arrow Builders, Hubbard Ohio. Respondent performed work to engage in general construction that required a license and did not have a license to perform the work.
- Cole's Roofing and Jeffery Cole, Gaffney, SC. Respondents performed work that required a roofing license and did not have a license to perform the work.
- Up Country Construction and David Simpson, York, SC. Respondents performed work that required a general contractor license and did not have a license to perform the work.
- ARC Glass, Inman, SC. Respondents performed work that required a glass and glazing license and did not have a license to perform the work.
- Feltman & Associates and Dean Feltman, Charleston, SC. Respondents submitted a bid for roofing work that exceeded their general contractor group # 4 license dollar value limitation.
- Enviromental Specialties and Gene Kuszmaul, Inc., Roebuck, SC. Respondents submitted a bid for general and mechanical construction work in excess of \$5,000 and did not have a contractor license to perform the work.
- Mechanical Jobbers Marketing, Inc., and Jerry Trevino, Stone Mountain, GA. Respondents submitted a bid in Charleston, SC, for water and sewer line work and did not have a license to perform the work.
- NTEC Systems, Inc., Marietta, GA. Respondent submitted a bid for metal roofing repairs and did not have a roofing license to engage in the work.
- Ronald E. Yarbrough, Tega Cay, SC. Respondent split a building project into separate parts to avoid their contractor group # 3 license dollar value limitation.
- T Q M Roofing and Richard Brazel, Statesville, NC. Respondents engaged in roofing work in Greenwood, SC, and did not have a roofing license to perform the work.
- Null Contracting, N. Myrtle Beach, SC. Respondent exceeded their group # license dollar value limitation.
- Pyramid Construction Company, Easley, SC. Respondent engaged in general contracting work outside of their license classification.
- Pete Delplino, Easley, SC. Respondent engaged in regulated

Citations Issued *Continued page 7*

contracting work and did not have a license to perform the work.

- T.H. Douglas, Gray Court, SC. Respondent engaged in regulated contracting work and did not have a license to perform the work.

Citations Issued

The following individuals and/or entities were issued a citation by the department for violation of the contracting statutes and agreed to pay a fine:

- Chuck Bullock, Sumter, SC. Respondent was not properly licensed as a registered employee and was selling alarm systems for Alert Security Services, Inc., West Columbia, SC. Fine was \$250.
- Cohn Construction LLC, Columbia, SC. Respondent entered into a contract with an unlicensed contractor to perform work that required a license. Fine was \$500.
- Advanced Mechanical Corp., Waynesville, NC. Respondent performed regulated mechanical contracting work and did not have a license to perform the work. Fine was \$500.
- Bruce L. McGee, Coward, SC. Respondent performed regulated work on a church and did not have a license to perform the work. Fine was \$500.
- Berkely Heating Co., N. Charleston, SC. Respondent engaged in mechanical contracting in a name other than the exact name that appeared on the Respondent's license. Fine was \$500.
- T B Associates and Tradd Bruce, Union. Respondents exceeded the group limitation of their mechanical license and divided a bid into portions to avoid licensing requirements. Fine was \$1,000.
- Circa Floor covering Inc., Gray Court, SC. Respondent performed general contracting work and did not have a license to perform the work. Fine was \$500.
- Hinkle Contracting Corp., Paris Kentucky. Respondent failed to notify the departure of its primary

qualifying party within the required 15 days of the departure of employment.

- Palmetto Alarm, and Tina Wilson, Lexington, SC. Respondents engaged in burglar work and did not have a license to engage in this type of work. Fine was \$500.
- Coastal Conditioned Air and Electrical, Aiken, SC. Respondent engaged mechanical construction work in a name other than the exact name that appeared on the mechanical contractor license. Fine was \$500.
- Richards Construction Inc., Woodruff, SC. Respondent submitted a bid that exceeded their license group limitation. Fine was \$5,000.

Consent Orders and Fines Paid

The following individuals and/or entities were issued a Cease and Desist Order for performing contracting work without a proper contractor license, certification or registration:

- Parmeco Inc., and Steve Parent, Greenville, SC. Respondents obtained a building permit for an unlicensed contractor, Benchmark Construction and Louis Snedigar, which aided and abetted an unlicensed contractor. Fine was \$5,000.
- Grier Roofing Company and Chris Grier, Spartanburg, SC. Respondents exceeded their roofing group limitation and performed regulated masonry work, which was outside their license classification. Fine was \$1,600.
- Robertson Construction Management and James Roberson, Spartanburg, SC. Respondents obtained a building permit for a regulated construction project for another contractor, Arrow Builders. Robertson Construction did not have the contract for the project and was not the prime contractor. Respondents are in violation of aiding and abetting an unlicensed contractor. Fine was \$5,000.

- Harrelson Mechanical Contractors and Harvey Harrelson, Wilmington, NC. Respondents engaged in work that required a fire sprinkler license and did not have a license to perform the work. Fine was \$900.
- Southeastern Sprinkler Co Inc. and Marvin Mills, Anderson, SC. Respondents installed glyco in a fire sprinkler system and installed a check valve in an unheated area in violation of NFPA requirements. Fine was \$1,250.
- Kannapolis Fire Sprinkler Co. Inc., and Ron Wihelm, Kannapolis, NC. Respondents submitted shop drawings to the State Fire Marshal's Office that did not have the required contractors stamp, authorized signature or the license number of the contractor who prepared the drawings. Fine was \$250.
- Advanced Plumbing Heating and Air Inc., Charleston, SC. Respondent performed work on a water line, fire hydrant, and backflow preventor that is solely dedicated to a fire sprinkler system without a fire sprinkler license. Fine was \$500.
- Up Country Construction and David Simpson, York, SC. Respondents performed work that required a contractor license and did not have a license to perform the work. Fine was \$500.
- Lindsey Builders Supply Inc., and Sherwin Lindsey, Lyman, SC. Respondents obtained a building permit for a regulated construction project for another contractor, Bert Persichetti, which aided and abetted an unlicensed contractor. Fine was \$5,000.
- American Electrical Services, Inc. and Robert Armstrong, Summerville, SC. Respondents exceeded their license group limitation. Fine was \$3,600.

S.C. Department of Labor, Licensing and Regulation
Contractors' Licensing Board
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Columbia, SC 29211-1329

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*This issue contains
information that may directly
affect your business!*

NASCLA

National Association of State Contractors Licensing Agencies
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IF YOU NEED INFORMATION ON CONTRACTORS' LICENSING IN OTHER STATES, YOU NEED
A COPY OF THE **CONTRACTORS STATE LICENSING INFORMATION DIRECTORY**.

The 2003 edition identifies more than 150 state agencies that regulate the construction industry. The directory summarizes the pre-qualification, licensing examination and bonding requirements. Information regarding reciprocity, license classifications, incorporating and fees is also included.

PLEASE SEND _____ book(s) at \$36.95 each \$ _____

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